

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

THOMAS HARRISON,

Plaintiff,

v.

Case No. 1:22-cv-1283-STA-tmp

**KILOLO KIJAKAZI,
Acting Commissioner of
Social Security,**

Defendant.

ORDER GRANTING SENTENCE FOUR REMAND

The Acting Commissioner of Social Security has moved the Court to reverse the decision of the Administrative Law Judge (ALJ) and remand this action to the Commissioner pursuant to sentence four of section 205(g), 42 U.S.C. § 405(g). (ECF No. 10.) The Commissioner, after reviewing the record, requests remand to allow the ALJ to take any further action necessary to complete the administrative record and issue a new decision. For good cause shown, the motion is

GRANTED.

Remand will expedite administrative review, ensure that the Commissioner has the opportunity to fully consider Plaintiff's claim, and may ultimately make judicial review unnecessary. Remand by this Court is appropriate under 42 U.S.C. § 405(g), which provides:

The court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.

See also Melkonyan v. Sullivan, 501 U.S. 89 (1991); Newkirk v. Shalala, 25 F.3d 316, 318 (6th Cir. 1994).

For the foregoing reasons, and pursuant to the Supreme Court's decision in *Shalala v. Schaefer*, 509 U.S. 292 (1993), the Court will enter judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure reversing the decision of the ALJ and remanding this case to the Commissioner under sentence four of 42 U.S.C. § 405(g).

IT IS SO ORDERED.

s/ S. Thomas Anderson
S. Thomas Anderson
United States District Judge

Date: March 17, 2023